

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held July 21, 2015 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

PRESENT:

William D. Reilich	Supervisor
David M. Barry, Jr.	Councilman
Brett Granville	Councilman
Andrew J. Conlon	Councilman
Diana Christodaro	Councilwoman

Cheryl M. Rozzi, Town Clerk
Brian Marianetti, Town Attorney

EXCUSED: None

Following the roll call of officers, the meeting was opened with the Pledge of Allegiance, led by Councilman Brett Granville. The invocation was offered by Libby Jopek, Prayer Ministry Leader of MorningStar Christian Fellowship.

Chief of Police Patrick Phelan, joined by the Town Board members, administered the Oath of Office to Greece Police Officer Connor Cantwell.

PUBLIC FORUM:

An Open Forum was conducted to allow speakers the opportunity to address the Town Board. Four speakers addressed the Town Board and the Open Forum concluded at 6:17 p.m.

PUBLIC HEARINGS:

6:16 p.m. — Public hearing date to consider the request submitted by 491 Elmgrove Park LLC to rezone 2.2± acres from IL (Light Industrial) to BR (Restricted Business), on property located at 491 Elmgrove Road.

Supervisor Reilich declared the public hearing open at 6:17 p.m. to consider the request submitted by 491 Elmgrove Park LLC to rezone 2.2± acres from IL (Light Industrial) to BR (Restricted Business), on property located at 491 Elmgrove Road.

Proof of publication in the Greece Post on Thursday, July 2, 2015 was received. Mr. Mike Lowke provided an overview of the project. There were two speakers who addressed the Town and the hearing concluded at 6:34 p.m.

#201 A - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

WHEREAS, 491 Elmgrove Park LLC (the “Applicant/Project Sponsor”) has submitted a request to the Town Board (the “Town Board”) of the Town of Greece (the “Town”), Monroe County, New York, to amend the Official Zoning Map of the Town of Greece, New York, relative to property located at 491 Elmgrove Road; and

WHEREAS, having considered carefully all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

1. In summary, the Applicant/Project Sponsor’s proposal (the “Proposal”) is to rezone 2.2± acres of real property (the Premises”) from IL (Light Industrial) to BR (Restricted Business) and to lease existing buildings and grounds to retail and office tenants, instead of industrial tenants. The Premises consist of commercial buildings—some partly occupied, some vacant—and paved driveways and parking areas. The Applicant/Project Sponsor proposes to refinish/remodel the interiors of the buildings as needed to accommodate tenants, with no substantial changes to the Premises at this time; the Applicant/Project Sponsor does not propose any new construction. Vehicular access to the Premises is via an unsignalized driveway at Elmgrove Road (Monroe County Route 158, a two-lane urban collector). Existing land uses in the vicinity include but are not limited to single-family houses townhouses for rent to senior citizens.
2. Upon review of the Proposal, the Town Board determined that the Proposal is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the “SEQRA Regulations”) (collectively, “SEQRA”), and that the Proposal constitutes an Unlisted action under SEQRA.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held July 21, 2015 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

3. On July 21, 2015 at 6:16 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal were presented at the Hearing for the Town Board's consideration.
5. At the conclusion of the Hearing, the Town Board closed the Hearing.
6. The Town Board has carefully considered environmental information that was prepared by the Applicant/Project Sponsor's representatives or the Town's staff, which included but was not limited to: a survey of the Premises; aerial photographs; and Part 1 of an Environmental Assessment Form (the "EAF") (collectively, the "Environmental Analysis").
7. The Town Board also has included in the Environmental Analysis and has carefully considered additional information submitted by the Applicant/Project Sponsor's representatives, including but not limited to: oral or written descriptions of the Proposal; maps and other drawings of the Proposal; and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant/Project Sponsor's representatives.
8. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to: the Monroe County Department of Planning and Development; the Monroe County Department of Transportation (the "MCDOT"); the Monroe County Department of Public Health; the Town's Planning Board (the "Planning Board"); and the Town's own staff.
9. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from owners of nearby properties or other interested parties, and all other relevant comments submitted to the Town Board as of July 21, 2015.
10. The Town Board has carefully considered the Environmental Analysis, which examined the potential effects of the Proposal on the following principal relevant issues: vehicular traffic; storm water management; and compatibility with nearby uses. A summary of the analyses of these issues and the Town Board's reasoned elaboration supporting its determination of environmental significance follows.
11. Vehicular traffic.
 - a. Description of analysis and potential impacts. On June 5, 2013, the Planning Board approved a site plan for the construction of a new building on the Premises. The MCDOT has established thresholds for the circumstances under which a traffic impact analysis would be required to evaluate vehicular traffic volumes and turning movements. Projects that fall below the MCDOT's thresholds usually are deemed not to have a significant effect on the transportation network. The MCDOT reviewed the site plan and determined that the nature, location, and size/intensity of the development fell below the MCDOT's threshold for a traffic impact study, and did not require such analysis. The vehicular traffic volumes that would be generated by uses that are permitted in the BR zoning district are not significantly different from the traffic volumes that would be generated by uses that are permitted in the IL zoning district. Therefore, the Proposal is not likely to have a significant adverse effect on the existing transportation network.
 - b. Mitigation measures. The MCDOT previously determined that no mitigation measures are required.
 - c. Conclusions. The existing transportation network can accommodate the projected vehicular traffic from the Proposal without mitigation measures.
12. Storm water management.
 - a. Description of analysis and potential impacts. On June 5, 2013, the Planning Board approved a site plan for the construction of a new building on the Premises. At that time,

the storm water management plans were reviewed and approved by the Town. Currently, no substantial changes to the Premises are proposed; therefore, no additional storm water management impacts are anticipated.

- b. Mitigation measures. No mitigation measures are required or proposed for the Proposal. Any future changes to the Premises must comply with applicable federal, state, and local regulations, including the most recent storm water management guidelines promulgated by the NYSDEC.
 - c. Conclusions. The Proposal will not degrade existing storm water conditions on the Premises or on adjacent properties. If changes to the Premises are proposed in the future, such changes may present an opportunity to improve drainage conditions for adjacent properties.
13. Compatibility with nearby uses.
- a. Description of analysis and potential impacts. On June 5, 2013, the Planning Board approved a site plan for the construction of a new building on the Premises. According to the Town's records, the Premises have been used for commercial and/or industrial purposes since at least 1930. The Proposal does not include any new construction. Existing land uses in the vicinity include but are not limited to single-family houses and townhouses for rent to senior citizens. The effect on the surrounding neighborhood from uses that are permitted in the BR zoning district is not significantly different from the effect on the surrounding neighborhood from uses that are permitted in the IL zoning district.
 - b. Mitigation measures. No mitigation measures are proposed for the Proposal. Any future changes to the Premises must comply with applicable federal, state, and local regulations.
 - c. Conclusions. The Proposal will not have a significant adverse impact on the character of the surrounding neighborhood.
14. The Environmental Analysis examined the relevant issues associated with the Proposal.
15. The Town Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
16. The Town Board has met the procedural and substantive requirements of SEQRA.
17. The Town Board has carefully considered each and every criterion for determining the potential significance of the Proposal upon the environment, as set forth in SEQRA.
18. The Town Board has carefully considered (that is, has taken the required "hard look" at) the Proposal and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis and all additional relevant information submitted.
19. The Town Board concurs with the information and conclusions contained in the Environmental Analysis.
20. The Town Board has made a reasoned elaboration of the rationale for arriving at its determination of environmental significance and the Town Board's determination is supported by substantial evidence, as set forth herein.
21. To the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant/Project Sponsor's voluntary incorporation of mitigation measures that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Town Board's own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Town Board determines that the Proposal will not have a significant adverse impact on the environment, which constitutes a negative declaration.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held July 21, 2015 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

ADOPTED: Ayes 5
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

#201 B - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

WHEREAS, 491 Elmgrove Park LLC (the "Applicant") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, to amend the Official Zoning Map of the Town of Greece, New York, relative to property located at 491 Elmgrove Road; and

WHEREAS, having considered carefully all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

1. In summary, the Applicant's proposal (the "Proposal") is to rezone 2.2± acres of real property (the Premises") from IL (Light Industrial) to BR (Restricted Business) and to lease existing buildings and grounds to retail and office tenants, instead of industrial tenants. The Premises consist of commercial buildings—some partly occupied, some vacant—and paved driveways and parking areas. The Applicant/Project Sponsor proposes to refinish/remodel the interiors of the buildings as needed to accommodate tenants, with no substantial changes to the Premises at this time; the Applicant does not propose any new construction. Vehicular access to the Premises is via an unsignalized driveway at Elmgrove Road (Monroe County Route 158, a two-lane urban collector). Existing land uses in the vicinity include but are not limited to single-family houses townhouses for rent to senior citizens.
2. Proof was had of the notice of a public hearing on a resolution proposing to amend said Official Zoning Map by rezoning 2.2± acres from IL (Light Industrial) to BR (Restricted Business), relative to property located at 491 Elmgrove Road.
3. On July 21, 2015 at 6:16 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Hearing for the Town Board's consideration.
5. At the conclusion of the Hearing, the Town Board closed the Hearing.
6. Beginning with the Town's first zoning ordinance and official zoning map (adopted by the Town Board on August 1, 1928) and continuing uninterrupted to the present with each and every Town zoning ordinance and official zoning map that was or is in force and effect, the zoning of all or most of the Premises has been industrial.
7. From August 1, 1928 until March 7, 1967, each and every Town zoning ordinance that was in force and effect permitted retail and office uses in an industrial zoning district.
8. According to the Town's records, retail or office uses have been on the Premises after March 7, 1967 and currently are on the Premises, either as legal, preexisting nonconforming uses, as uses permitted by use variance, or as uses currently permitted by the IL zoning district.
9. Each and every Town zoning ordinance that was or is in force and effect permitted or permits legal, preexisting nonconforming uses to continue.
10. The Premises are surrounded by the following zoning districts and land uses:

North: PL (Public Land), and R1-E (Single-Family Residential) — A former railroad line now owned by the County of Monroe, and single-family houses, respectively.

South: R1-E (Single-Family Residential) — Single-family houses.

East: R1-E (Single-Family Residential), and RMS (Multiple-Family Residential – Senior Citizen) — Single-family houses, and townhouses for rent to senior citizens, respectively.

West: R1-E (Single-Family Residential) — Single-family houses.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held July 21, 2015 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

11. The proposed zoning and use of the Premises are consistent and compatible with the zoning and uses that are adjacent to the Premises.
12. At its regularly scheduled meeting on July 8, 2015, the Town's Planning Board recommended that the Town Board approve the Proposal.
13. The size and shape of the Premises are suitable for the Proposal.
14. Public utility service and vehicular access are adequate for the Proposal.
15. The Town's 2001 Community Master Plan Update (the "Master Plan Update," completed September 18, 2001) made no recommendation specifically for the Premises. The Premises already are fully developed, including a building that was built recently.
16. On July 21, 2015, in accordance with the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), the Town Board issued a Negative Declaration for the Proposal (the "SEQRA Negative Declaration"). The SEQRA Negative Declaration indicated that, to the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant's voluntary incorporation of mitigation measures that were identified as practicable. The SEQRA Negative Declaration is incorporated herein by reference as if fully set forth, as findings of the Town Board in its decision on the Proposal.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, and the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), the Official Zoning Map of the Town of Greece, New York, hereby be and the same is amended to change the zoning classification of 2.2± acres from IL (Light Industrial) to BR (Restricted Business), relative to property located at 491 Elmgrove Road, as more particularly identified in the description attached hereto, subject to the following conditions:

1. In the event of any conflict among the oral or written descriptions of the Proposal, the site development plans for the Proposal, or the requirements or restrictions of this resolution, the Town Board, in its sole discretion and judgment and without hearing, shall determine the resolution of such conflict.
2. Wherever this resolution refers to a specific applicant, developer, or operator, it shall be construed to include successors and assigns.
3. Wherever this resolution refers to a specific public official or agency, it shall be construed to include designees, successors, and assigns.
4. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.

ADOPTED: Ayes 5
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

#202 - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board authorize an extension of a contract with Hewitt Young Electric LLC for electrical repairs and new installations at various town facilities.

ADOPTED: Ayes 5
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

#203 - Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization to declare 13 radio chargers that are no longer being used as scrap.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held July 21, 2015 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

FURTHER,

BE IT RESOLVED that they will be recycled after they are declared scrap.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#204 - Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to enter into an agreement with Barton and Loguidice to provide professional services related to a grant proposal for a new salt building at a cost not to exceed \$2,500.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#205 - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization to enter into an agreement with Foundation Design for professional services related to the geotechnical work related to our new police station at a cost not to exceed \$7,000.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#206 - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that this Town Board grant authorization to accept a check in lieu of a letter of credit in the amount of \$261,182.00 to guarantee the public improvements for the new development at 45 Mill Road.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#207 - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization to enter into agreements with Lineage related to the purchase, maintenance and meter rental of a new mail machine and folder/ inserter. The equipment being purchased is off of New York State and NJPA pricing.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#208 - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to make various transfers and budget amendments. A complete list is attached.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#209 - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization for the Supervisor to enter into an agreement with Christa Construction to provide Construction Management Services for the town relative to the construction of a new Police Station for an amount not to exceed \$364,000.00.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held July 21, 2015 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

#210 - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that this Town Board grant authorization to enter into various agreements (list attached) for programs associated with the operation of the Greece Community and Senior Center;

FURTHER,

BE IT RESOLVED that the Supervisor is authorized to execute said agreements.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#211 - Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization to enter into a one-year service contract with M.E. Services Communication, Inc., P.O. Box 30577, Rochester, New York, to secure professional services to provide foreign language as well as sign language interpreting services at a cost of \$65.00 for half session, \$130.00 for full session, and \$65.00 per hour for sign language interpreting.

BE IT FURTHER,

RESOLVED that the Supervisor is authorized to execute all necessary documents.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#212 - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to enter into an intermunicipal agreement with the Town of Gates, NY to provide building inspection services on an as needed basis.

BE IT FURTHER,

RESOLVED that the Supervisor is authorized to execute all necessary documents.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#213 - Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization to enter into a professional services agreement, not to exceed \$3,500.00, with The Bonadio Group for PCI 3.1 security and assessment services.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#214 - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that this Town Board grant authorization for the Supervisor to enter into an agreement with Tri Delta Resources to provide system support and engineering services. Further, authorization for the Supervisor to execute all necessary documents.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#215 - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Conlon:

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held July 21, 2015 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

WHEREAS, this Board has previously resolved to invite sealed bids for the 2015 Body Repair and Painting of Large Trucks and Construction Equipment and

WHEREAS on Tuesday, July 14, the following bids were received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
George & Swede Sales & Service	\$29,439.00
Viking Cives	\$26,362.50/\$29,372.00 (ES112/ES144 respectively
Tracey Road Equipment, Inc.	\$29,804.14

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for the three (3) Slide-In Stainless Steel Dump Body Spreaders to Chemung Supply Corporation, P.O. Box 527 Elmira, New York 14902, in the amount of \$25,997.92. Three other bids were received ranging from \$29,372.00 to \$29,804.14.

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to enter into a contract with Chemung Supply Corporation.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#216 - Councilman Barry offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that this Town Board grant authorization to amend the contract with New York State for snow and ice control services on State roads within the Town of Greece for the 2014/2015 winter season in the amount of \$148,691.06 due to the severity of the 2014/2015 winter season, and:

BE IT FURTHER,

RESOLVED that the Supervisor is authorized to execute all related documents.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#217 - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to extend the 2013 Fleet Tire Service and Recapping contract with Lewis General Tire for the second of three possible extensions with no changes in pricing or contract terms.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#218 - Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization for the Supervisor to enter into an agreement with United Business Systems, Inc., 2 Townline Circle, Rochester, New York 14623, for a five-year lease of a large-format printer/scanner and;

BE IT FURTHER,

RESOLVED that the Supervisor is authorized to execute all related documents.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#219 - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Conlon:

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held July 21, 2015 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

RESOLVED that, pursuant to the requirements of section 103 of the General Municipal Law, sealed bids will be received at the Town Clerk's Office, Town of Greece, One Vince Tofany Boulevard, Greece, New York 14612, until 3:00 p.m., Tuesday, August 11, 2015, at which time they will be publicly opened and read aloud for the following:

- Sale of 2015 Surplus Leaf Compost

All bids must be endorsed, with the title of purchase to which they relate, the name and address of the bidder, and shall be in conformity with the bidding sheets and specifications, which will be furnished by the Town Clerk and are now available, and be it further

RESOLVED, that the Town Board reserves the right to reject any and all bids received.

ADOPTED: Ayes 5
Nays 0
Reilich, Barry, Granville, Conlon, Christodaro

#220 - Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to install one Stop sign on Legends Way for Southbound traffic at Barclay Court as recommended by the Traffic Advisory Committee.

ADOPTED: Ayes 5
Nays 0
Reilich, Barry, Granville, Conlon, Christodaro

#221 - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to approve a change order in the amount of \$8,530.00 to Bergmann Associates for the GPS Collection of Street Light Poles for the additional Street light pole collection and related expenses, along with the additional data processing required in order to merge the GPS located poles to the RG&E inventory spread sheet.

ADOPTED: Ayes 5
Nays 0
Reilich, Barry, Granville, Conlon, Christodaro

#222 - Councilman Barry offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that this Town Board accept a grant from the New York State Department of Criminal Justice in the amount of \$10,000 for the purchase of bullet proof vests.

ADOPTED: Ayes 5
Nays 0
Reilich, Barry, Granville, Conlon, Christodaro

#223 - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization enter into an agreement with the New York State Energy Research and Development Authority (NYSERDA) to perform an Energy Analysis of our new Police Station. The total cost of this study is \$10,875.00 and the town's share will be \$2,937.50. This study will identify any state grant opportunities this project is eligible for as well as make recommendations on ways to make our new facility more energy efficient.

ADOPTED: Ayes 5
Nays 0
Reilich, Barry, Granville, Conlon, Christodaro

#224 A - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

WHEREAS, Heritage Christian Services (the "Applicant/Project Sponsor") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, for a special use permit to operate a day-care center and school-age child-care center, to be

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held July 21, 2015 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

known as Expressive Beginnings Child Care, on property located at 1680 Stone Road, in an RMH (Multiple-Family Residential) Zoning District; and

WHEREAS, having considered carefully all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

1. In summary, the Applicant/Project Sponsor's proposal (the "Proposal") is to operate a child day-care center and school-age child-care center in a new building to be constructed on a vacant parcel of land (the "Premises"). The Proposal includes day-care and before- and after-school care (and child care during school breaks) for children between the ages of 6 weeks and 12 years. Outdoor areas will be provided for children to play, under supervision. Occasionally, there will be special events on the Premises, such as open houses, graduation ceremonies, and holiday parties. The proposed hours of availability to clients are: Mondays through Fridays, 6:00 a.m. to 6:00 p.m. Vehicular access for the Premises is via unsignalized driveways at Stone Road (Monroe County Route 148, a two-lane urban minor arterial) and Stone Ridge Drive (a two-lane Town local road).
2. Upon review of the Proposal, the Town Board determined that the Proposal is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), and that the Proposal constitutes an Unlisted action under SEQRA.
3. On June 16, 2015 at 6:16 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal were presented at the Hearing for the Town Board's consideration.
5. At the conclusion of the Hearing, the Town Board closed the Hearing and reserved decision on the Proposal, but continued to accept and consider written comments from all parties in interest, citizens, and agencies.
6. The Town Board has carefully considered environmental information that was prepared by the Applicant/Project Sponsor's representatives or the Town's staff, which included but was not limited to: a project narrative; a conceptual site plan; aerial photographs; Part 1 of an Environmental Assessment Form (the "EAF"), which was prepared in part by using the New York State Department of Environmental Conservation's online EAF Mapper application; and an "Engineering Report," which contained supplemental information about the Proposal, including but not limited to a description and analysis of vehicular traffic, storm water management, sanitary sewers, water supply, and lighting (collectively, the "Environmental Analysis").
7. The Town Board also has included in the Environmental Analysis and has carefully considered additional information submitted by the Applicant/Project Sponsor's representatives, including but not limited to: oral or written descriptions of the Proposal; maps and other drawings of the Proposal; and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant/Project Sponsor's representatives.
8. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to: the Monroe County Department of Planning and Development; the Monroe County Department of Transportation (the "MCDOT"); the Monroe County Department of Public Health; the Town's Planning Board (the "Planning Board"); the Town's Board of Zoning Appeals; and the Town's own staff.
9. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from owners of nearby properties or other interested parties, and all other relevant comments submitted to the Town Board as of July 21, 2015.
10. The Town Board has carefully considered the Environmental Analysis, which examined the potential effects of the Proposal on the following principal relevant issues: vehicular traffic; storm water management; and compatibility with nearby uses. A summary of the analyses of

these issues and the Town Board's reasoned elaboration supporting its determination of environmental significance follows.

11. Vehicular traffic.

- a. Description of analysis and potential impacts. The MCDOT has established thresholds for the circumstances under which a traffic impact analysis would be required to evaluate vehicular traffic volumes and turning movements. Projects that fall below the MCDOT's thresholds usually are deemed not to have a significant effect on the transportation network. The MCDOT reviewed the Proposal and determined that the nature, location, and size/intensity of the Proposal fell below the MCDOT's threshold for a traffic impact study, and did not require such analysis. Therefore, the Proposal is not likely to have a significant adverse effect on the existing transportation network.
- b. Mitigation measures. The MCDOT previously determined that no mitigation measures are required.
- c. Conclusions. The existing transportation network can accommodate the projected vehicular traffic from the Proposal without mitigation measures.

12. Storm water management.

- a. Description of analysis and impacts. The Premises currently consist of undeveloped land covered principally by grass. Paddy Hill Creek runs along the western border of the Premises. The Project includes the construction of a building and paved driveways and parking lots. The Applicant/Project Sponsor's conceptual drainage analysis examined existing and proposed topography on the Premises and existing drainage patterns on the Premises and adjoining lands. The Project has the potential for altering drainage patterns and volumes in the area by the construction of impervious surfaces and changes to the drainage characteristics of the area. The conceptual drainage analysis concluded that the Project would create a need for on-site management of storm water runoff quality and quantity. The proposed changes to the Premises must comply with applicable federal, state, and local regulations, including the most recent storm water management guidelines promulgated by the NYSDEC.
- b. Mitigation measures.
 - i. The Project includes provision of storm water management facilities on the Premises, to be designed to limit peak storm water discharge to rates that are below the pre-development level for precipitation events up to and including the 100-year storm. In order to manage storm water quantity and quality, the Applicant/Project Sponsor will construct one or more detention basins and will include several "green infrastructure" practices. The storm water management facilities will be designed to include water quality improvement features consistent with the most recent guidelines promulgated by the NYSDEC.
 - ii. Standard construction procedures will be followed to control storm water runoff, erosion, and sedimentation during construction in accordance with all applicable regulations.
- c. Conclusions.
 - i. The Project will not degrade existing storm water conditions on the Premises or on adjacent properties, and may present an opportunity to improve drainage conditions for adjacent properties.
 - ii. The Project will include features that are designed to improve storm water quality before runoff leaves the Premises.
 - iii. The proposed storm water management facilities will avoid or minimize potential adverse impacts on storm water runoff quantity and quality.

13. Compatibility with nearby uses.

- a. Description of analysis and potential impacts. The Premises currently consist of undeveloped land covered principally by grass. The Premises are located in an RMH zoning district, which permits the construction of three-story apartment buildings. The Proposal includes the construction of a one-story building on the Premises, with appurtenant outdoor play area, paved parking, and storm water management facilities. Development of the site will be subject to site plan approval by the Planning Board, which has approval authority over elements of site design and construction, including but are not limited to: landscaping and buffering; lighting; parking; vehicular and pedestrian access for the Premises; on-site vehicular and pedestrian circulation; utilities; grading; storm water management; and exterior appearance of the building (that is, materials, colors, and architectural style). Existing land uses in the vicinity include but are not limited to single-family houses, apartment buildings, and a firehouse. Preliminary plans that were submitted by the Applicant/Project Sponsor indicate a building with architectural features that resemble those found on single-family houses, landscape buffering, and controlled site lighting.
 - b. Mitigation measures. The design of the building and the layout of the Premises are intended to minimize potential impacts on nearby residents.
 - c. Conclusions. The Proposal will not have a significant adverse impact on the character of the surrounding neighborhood.
14. The Environmental Analysis examined the relevant issues associated with the Proposal.
 15. The Town Board has met the procedural and substantive requirements of SEQRA.
 16. The Town Board carefully has considered each and every criterion for determining the potential significance of the Proposal upon the environment, as set forth in SEQRA.
 17. The Town Board carefully has considered (that is, has taken the required "hard look" at) the Proposal and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Information.
 18. The Town Board concurs with the information and conclusions contained in the Environmental Information.
 19. The Town Board has made a reasoned elaboration of the rationale for arriving at its determination of environmental significance and the Town Board's determination is supported by substantial evidence, as set forth herein.
 20. To the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant/Project Sponsor's voluntary incorporation of mitigation measures that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Town Board's own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Town Board determines that the Proposal will not have a significant adverse impact on the environment, which constitutes a negative declaration.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro
Nays 0

#224 B - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

WHEREAS, Heritage Christian Services (the "Applicant") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, for a special use permit to operate a day-care center and school-age child-care center, to be known as Expressive Beginnings Child Care, on property located at 1680 Stone Road, in an RMH (Multiple-Family Residential) Zoning District; and

WHEREAS, having considered carefully all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

1. In summary, the Applicant's proposal (the "Proposal") is to operate a child day-care center and school-age child-care center in a new building to be constructed on a vacant parcel of land (the "Premises"). The Proposal includes day-care and before- and after-school care (and child care during school breaks) for children between the ages of 6 weeks and 12 years. Outdoor areas will be provided for children to play, under supervision. Occasionally, there will be special events on the Premises, such as open houses, graduation ceremonies, and holiday parties. The proposed hours of availability to clients are: Mondays through Fridays, 6:00 a.m. to 6:00 p.m. Vehicular access for the Premises is via unsignalized driveways at Stone Road (Monroe County Route 148, a two-lane urban minor arterial) and Stone Ridge Drive (a two-lane Town local road).
2. Proof was had of the notice of public hearing on a resolution proposing to permit the Proposal.
3. On June 16, 2015 at 6:16 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal were presented at the Hearing for the Town Board's consideration.
5. At the conclusion of the Hearing, the Town Board closed the Hearing and reserved decision on the Proposal, but continued to accept and consider written comments from all parties in interest, citizens, and agencies.
6. Based on the Town Board's review of relevant documentary, testimonial, and other evidence, the location, nature, duration, and intensity of the Proposal: (a) will not adversely affect the orderly pattern of development in the area; (b) will be in harmony with nearby uses; (c) will not alter the essential character of the nearby neighborhood, nor be detrimental to the residents thereof; (d) will not create a hazard to health, safety, or the general welfare; (e) will not be detrimental to the flow of traffic; and (f) will not place an excessive burden on public improvements, facilities, services, or utilities.
7. Access to the Premises and the size and shape of the Premises are adequate for the Proposal.
8. On July 21, 2015, in accordance with the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), the Town Board issued a Negative Declaration for the Proposal (the "SEQRA Negative Declaration"). The SEQRA Negative Declaration indicated that, to the maximum extent practicable, potential adverse environmental impacts revealed in the environmental review process will be avoided or minimized by the Applicant's voluntary incorporation of mitigation measures that were identified as practicable. The SEQRA Negative Declaration is incorporated herein by reference as if fully set forth, as findings of the Town Board in its decision on the Proposal.
9. Having considered the Proposal and all additional information that may be relevant to the Proposal, it is in the public interest to grant the requested special use permit.

NOW THEREFORE, be it

RESOLVED that, based on the aforementioned information, testimony, documentation, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, and pursuant to the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), the request submitted by Heritage Christian Services (the "Applicant") for a special use permit to operate a child day-care center and school-age child-care center, to be known as Expressive Beginnings Child Care, on property located at 1680 Stone Road, in an RMH (Multiple-Family Residential) Zoning District, hereby be and the same is approved and granted, subject to the following conditions:

1. The Applicant shall operate this day-care center and school-age child-care center in conformity with all details of the Proposal, as presented in the written descriptions and various maps, plans and illustrations of the Proposal, as orally described at the Hearing, and as set forth herein. In the event of any conflict among the oral or written descriptions of the Proposal, the various maps, plans and illustrations of the Proposal, or the requirements or restrictions of this

resolution, the Town Board, in its sole discretion and judgment and without hearing, shall determine the resolution of such conflict.

2. The maximum occupancies in this day-care center and school-age child-care center shall be the limits established by the Town's Fire Marshal pursuant to the New York State Uniform Fire Prevention and Building Code.
3. The Applicant shall comply with all applicable federal, state, county, and Town laws, ordinances, codes, rules, and regulations, including but not limited to the New York State Uniform Fire Prevention and Building Code and all applicable requirements for the installation/maintenance of a grease trap. Failure to comply with such requirements may be grounds for revocation of this special use permit.
4. Wherever this resolution refers to a specific applicant, developer, or operator, it shall be construed to include successors and assigns.
5. Wherever this resolution refers to a specific public official or agency, it shall be construed to include designees, successors, and assigns.
6. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any succeeding or superseding authority.
7. Upon the sale or other transfer of controlling interest in this day-care center and school-age child-care center to any person or entity other than Heritage Christian Services, its wholly owned subsidiaries, or its franchisees, a new application for a special use permit must be submitted to the Town Board.

ADOPTED: Ayes 5
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

#225 A - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

WHEREAS, Morgan Management LLC (the "Applicant/Project Sponsor") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, for a special use permit to operate a hotel, to be known as Home2 Suites, on property located at 400 Bellwood Drive, in the Canal Ponds Business Park ("Canal Ponds"), in a BG (General Business) Zoning District; and

WHEREAS, having carefully considered all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

1. In summary, the Applicant/Project Sponsor's proposal (the "Proposal") is to operate a hotel in a freestanding building that is to be constructed at an undeveloped site (the "Premises") in Canal Ponds, an industrial/office/retail business park. The Proposal includes hotel rooms and a variety of services, facilities, and amenities which are for use by guests of the hotel, including but not limited to meeting room(s), a café and bar, a small restaurant, and a pool/physical fitness area. The café, restaurant, and bar are not available to the general public. The Proposal does not include background music or live entertainment (as these terms are defined in the Town's zoning ordinance) on a recurring basis. Sponsorship of, affiliation with, permission for, or participation in one-time or recurring special or promotional events on the Premises by the Applicant/Project Sponsor will be subject to the requirements and restrictions of the Code of the Town of Greece, New York, Chapter 175 (Special Events). The hotel is continuously open and available to its guests. Vehicular access for the Premises is via an unsignalized driveway at Bellwood Drive (a two-lane Town subdivision road in Canal Ponds).
2. Upon review of the Proposal, the Town Board determined that the Proposal is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), and that the development of Canal Ponds was classified as a Type I action.
3. In accordance with SEQRA, the Town Board was designated as, and continues to be, the lead agency for the environmental review of the development of Canal Ponds.

4. The Town Board fully considered the alternatives, impacts, and mitigation measures that were identified in the Final Generic Environmental Impact Statement (the "FGEIS") that was prepared for Canal Ponds when the overall developers of the site, Pioneer Development Company, LLC, and Torrey Pines Realty Company, Inc., requested that portions of the Canal Ponds site be rezoned from an IG (General Industrial) Zoning District to BP (Professional Office), BR (Restricted Business), and BG (General Business) Zoning Districts (the "1991 Canal Ponds Rezoning").
5. On May 7, 1991, in accordance with SEQRA, the Town Board issued a Findings Statement (the "1991 SEQRA Findings Statement"), then passed a resolution to approve the 1991 Canal Ponds Rezoning (the "1991 Canal Ponds Rezoning Approval"). In the 1991 SEQRA Findings Statement, the Town Board concluded that the development of Canal Ponds would not have a significant adverse impact on the environment.
6. On June 16, 2015, at 6:17 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
7. Documentary, testimonial, and other evidence were presented at the Hearing for the Town Board's consideration.
8. At the conclusion of the Hearing, the Town Board closed the Hearing and reserved decision on the Proposal, but continued to accept and consider written comments from all parties in interest, citizens, and agencies.
9. The Town Board has carefully considered environmental information that was prepared by the Applicant/Project Sponsor's representatives or the Town's staff, which included but was not limited to: a written description of the Proposal; conceptual site plans; aerial photographs; Part 1 of an Environmental Assessment Form (the "EAF"); and supplemental information about the Proposal, including but not limited to an analysis of traffic volumes generated by development in Canal Ponds (including the Proposal) (collectively, the "Environmental Analysis").
10. The Town Board also has included in the Environmental Analysis and has carefully considered additional information that was submitted by the Applicant/Project Sponsor's representatives, including but not limited to: oral or written descriptions of the Proposal; maps and other drawings of the Proposal; and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant/Project Sponsor's representatives.
11. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to: the Monroe County Department of Planning and Development; the Monroe County Department of Public Health; the New York State Department of Transportation; the New York State Department of Environmental Conservation; the Town's Planning Board; and the Town's own staff.
12. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from owners of nearby properties or other interested parties, and all other relevant comments submitted to the Town Board as of July 21, 2015.
13. Chapter 1-A of the FGEIS recognized that the original development plan for Canal Ponds would be subject to modification because of the conceptual nature of said plan and because market conditions could change during the time that it would take to reach full development of Canal Ponds. Evidence of the changing layout in Canal Ponds can be seen when comparing preliminary plats in 1991, 1994, and in more recent years.
14. Chapter 2-B3 of the FGEIS recognized that the exact size and location of individual buildings would be tailored to the specific needs of businesses that wanted to locate in Canal Ponds, and would depend on changing market conditions. As evidence of such flexibility, the Town has approved several rezoning requests in Canal Ponds, beginning in 1993 and continuing intermittently to as recently as 2013.

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held July 21, 2015 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

15. Chapter 1-F of the FGEIS established parameters within which development of Canal Ponds could take place without the need for further environmental review pursuant to SEQRA. The Proposal is within said parameters; for example: the total amounts of development and vehicular traffic remain below the upper limits established in the FGEIS; the use is permitted in the zoning district; and the use is not among those uses that were limited in the 1991 SEQRA Findings Statement or in the 1991 Canal Ponds Rezoning Approval.
16. The Proposal is consistent with the FGEIS, the 1991 SEQRA Findings Statement, and the 1991 Canal Ponds Rezoning Approval.
17. The Town Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
18. The Town Board has met the procedural and substantive requirements of SEQRA.
19. The Town Board has carefully considered each and every criterion for determining the potential significance of the Proposal upon the environment, as set forth in SEQRA.
20. The Town Board carefully considered the relevant environmental impacts, facts, and conclusions disclosed in the FGEIS and in all supplemental maps, descriptions, analyses, reports, and reviews.
21. The 1991 SEQRA Findings Statement weighed and balanced relevant environmental impacts with social, economic, and other considerations.
22. The Town Board has made a careful, independent review of the Proposal and the Town Board's determination is rational and supported by substantial evidence, as set forth herein.
23. Consistent with social, economic, and other essential considerations from among the reasonable alternatives available, this action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable.
24. Consistent with social, economic, and other essential considerations from among the reasonable alternatives available, adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, and after examining the Town Board's own initial concerns and all issues and comments submitted by involved and interested agencies and the Town's own staff, the Town Board determines that the Proposal does not warrant the preparation of a supplemental environment impact statement; and be it

FURTHER RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, and after examining the Town Board's own initial concerns and all issues and comments submitted by involved and interested agencies and the Town's own staff, the Town Board determines that the Proposal will not have a significant adverse impact on the environment and that, therefore, SEQRA and the 1991 Findings Statement require no further action relative to the Proposal.

ADOPTED: Ayes 5
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

#225 B - Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

WHEREAS, Morgan Management LLC (the "Applicant") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, for a special use permit to operate a hotel, to be known as Home2 Suites, on property located at 400 Bellwood Drive, in the Canal Ponds Business Park ("Canal Ponds"), in a BG (General Business) Zoning District; and

WHEREAS, having carefully considered all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

1. In summary, the Applicant's proposal (the "Proposal") is to operate a hotel in a freestanding building that is to be constructed at an undeveloped site (the "Premises") in Canal Ponds, an industrial/office/retail business park. The Proposal includes hotel rooms and a variety of services, facilities, and amenities which are for use by guests of the hotel, including but not limited to meeting room(s), a café and bar, a small restaurant, and a pool/physical fitness area. The café, restaurant, and bar are not available to the general public. The Proposal does not include background music or live entertainment (as these terms are defined in the Town's zoning ordinance) on a recurring basis. Sponsorship of, affiliation with, permission for, or participation in one-time or recurring special or promotional events on the Premises by the Applicant will be subject to the requirements and restrictions of the Code of the Town of Greece, New York, Chapter 175 (Special Events). The hotel is continuously open and available to its guests. Vehicular access for the Premises is via an unsignalized driveway at Bellwood Drive (a two-lane Town subdivision road in Canal Ponds).
2. Proof was had of the notice of public hearing on a resolution proposing to permit the Proposal.
3. On June 16, 2015 at 6:17 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Hearing for the Town Board's consideration.
5. At the conclusion of the Hearing, the Town Board closed the Hearing and reserved decision on the Proposal, but continued to accept and consider written comments from all parties in interest, citizens, and agencies.
6. Based on the Town Board's review of relevant documentary, testimonial, and other evidence, the location, nature, duration, and intensity of the Proposal: (a) will not adversely affect the orderly pattern of development in the area; (b) will be in harmony with nearby uses; (c) will not alter the essential character of the nearby neighborhood, nor be detrimental to the residents thereof; (d) will not create a hazard to health, safety, or the general welfare; (e) will not be detrimental to the flow of traffic; and (f) will not place an excessive burden on public improvements, facilities, services, or utilities.
7. Access to the Premises and the size and shape of the Premises are adequate for the Proposal.
8. Public utility service and vehicular access are adequate for the Proposal.
9. On July 21, 2015, in accordance with SEQRA, the Town Board issued a determination of no significance in the environmental review of the Proposal (the "2015 SEQRA Determination"). In summary, the 2015 SEQRA Determination indicated that the Proposal would not have a significant adverse environmental impact. The findings of the 2015 SEQRA Determination are incorporated herein by reference as if fully set forth, as findings of the Town Board in its decision on the Proposal.
10. Having considered the Proposal and all additional information that may be relevant to the Proposal, it is in the public interest to grant the requested special use permit.

NOW THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, and pursuant to the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), the request submitted by Morgan Management LLC (the "Applicant") for a special use permit to operate a hotel, to be known as Home2 Suites, on property located at 400 Bellwood Drive, in the Canal Ponds Business Park ("Canal Ponds"), in a BG (General Business) Zoning District, hereby be and the same is approved and granted, subject to the following conditions:

1. The Applicant shall operate this hotel in conformity with all details of the Proposal, as presented in the written descriptions and various maps, plans and illustrations of the Proposal, as orally described at the Hearing, and as set forth herein. In the event of any conflict among the oral or written descriptions of the Proposal, the various maps, plans and illustrations of the Proposal, or

the requirements or restrictions of this resolution, the Town Board, in its sole discretion and judgment and without hearing, shall determine the resolution of such conflict.

2. The maximum occupancies in this hotel shall be the limits established by the Town's Fire Marshal pursuant to the New York State Uniform Fire Prevention and Building Code.
3. The Applicant shall comply with all applicable federal, state, county, and Town laws, ordinances, codes, rules, and regulations, including but not limited to the New York State Uniform Fire Prevention and Building Code and all applicable requirements for the installation/maintenance of a grease trap. Failure to comply with such requirements may be grounds for revocation of this special use permit.
4. The Applicant shall submit a request to the Town of Greece Planning Board for site plan and subdivision approval in order to address the details of site development issues, including but not limited to: landscaping and buffering; lighting; parking; vehicular and pedestrian access for the Premises; on-site vehicular and pedestrian circulation; utilities; grading; storm water management; and architectural appearance.
5. Wherever this resolution refers to a specific applicant, developer, or operator, it shall be construed to include successors and assigns.
6. Wherever this resolution refers to a specific public official or agency, it shall be construed to include designees, successors, and assigns.
7. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any superseding or succeeding authority.
8. Upon the sale or other transfer of controlling interest in this hotel to any person or entity other than Morgan Management LLC, its wholly owned subsidiaries, its franchisors, or its franchisees, a new application for a special use permit must be submitted to the Town Board.

ADOPTED: Ayes 5
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

#226 - Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to enter into an agreement with the owner of property located at 26 Barrett Parkway permitting said owner to connect to the Town's sanitary sewer main along Ling Road at the owner's expense.

BE IT FURTHER,

RESOLVED that the Supervisor is authorized to execute all necessary documents.

ADOPTED: Ayes 5
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

#227 A - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board Adopt a Motion to Amend the Establishment of a Public Hearing date of ~~August 18, 2015~~ to September 15, 2015 at 6:16 p.m. to consider the request submitted by Hillside Work-Scholarship Connection for a special use permit to operate a school-age child-care center, to be known as Hillside Work-Scholarship Connection, on property located at 751 Long Pond Road.

ADOPTED: Ayes 5
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

#227 B - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Barry:

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held July 21, 2015 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

WHEREAS, a permit to operate a school-age child-care center can only be granted upon special application to and with the consent of the Town Board, pursuant to the requirements of Section 211 of the Code of the Town of Greece;

NOW THEREFORE, BE IT

ORDERED that a public hearing be held by the Town Board of the Town of Greece at the Town Hall, One Vince Tofany Boulevard, Rochester, New York, in and for said Town, on the 15th day of September 2015 at 6:16 p.m., to consider the application submitted Hillside Work-Scholarship Connection, on property located at 751 Long Pond Road.

ADOPTED: Ayes 5
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

Meeting adjourned at 7:10 p.m.

July 28, 2015 Cheryl M. Rozzi
Date Cheryl M. Rozzi - Town Clerk

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